

STUDENT GOVERNMENT

BOISE STATE UNIVERSITY



CONSTITUTION

PREAMBLE

We, the Students of Boise State University, in order to promote the educational, social, and cultural activities of the Associated Students of Boise State University, finance student activities, facilitate student participation, and act as the official voice of the Associated Student Body, do hereby ordain and establish this Constitution of, by and for the Associated Students of Boise State University.

Associated Students will protect student rights at Boise State University. Students will enjoy the rights articulated in the Idaho and United States Constitutions. Students shall enjoy the freedom to criticize the actions of the university provided that any action taken by students is done in accordance with the Statement of Shared Values and the Student Code of Conduct. The student's academic freedoms shall not be abridged or abused by any student, faculty, or staff at the university. Students shall be entitled to the rights correlative with the advancement of their own education and personal enhancement.

ARTICLE I – The Associated Students of Boise State University

Section 1. We, the Associated Students, shall be known as the Associated Students of Boise State University, hereafter known and referred to as ASBSU.

Section 2. All fee-paying students of the University shall be members of ASBSU with all the rights, privileges, and responsibilities in any university or related activity to which the authority of this Constitution extends.

Section 3. The ASBSU will not discriminate against any individual on the basis of age, race, color, religion, gender, national origin, ancestry, disability, veteran status, political affiliation, gender identity/expression or sexual orientation in matters of employment, services, requests for funds, educational programs, or other activities.

Section 4. All officers of the ASBSU, elected and appointed, must be full-fee paying students. All student personnel of ASBSU, elected, appointed, and hired must maintain a cumulative grade point average of 2.50 on a 4.0 grading scale unless otherwise specified. All ASBSU officers, elected and appointed, who receive a service award must undergo training, as designed by Student Involvement and Leadership Center (SILC) staff. The heads of each branch, in consultation with staff from SILC, are authorized to approve alternative training methods for members of their branch.

Section 5. In the event of a vacancy in the role of the president due to resignation, recall, or impeachment, or personal related issues (health, student misconduct, etc.), the Vice President will then take the role of president and another Vice President will be appointed and approved by the ASBSU Student Assembly. In the event of vacancies in the Executive Council, the president will appoint students to all vacant positions in the appropriate manner. In the event of the removal of both the President and the Vice-President, the ASBSU Assembly Speaker will take office as President and will appoint students to all vacant positions. An administrative removal shall not occur prior to the tenth day of the fall and spring semesters, nor will administrative removals occur while an academic grievance, filed by the officer in question, is previously underway.

ARTICLE II – The Executive Council

Section 1. All legislative authorities herein granted shall be vested in a student Executive Council.

Section 2. The membership of the ASBSU Executive Council shall consist of one President and one Vice President, at least three Student Secretaries and at least one Student Director.

Section 3. Executive Council membership will also include voting student delegates from other Boise State Student Affairs departments. Represented departments shall include but not be limited to the Student Diversity and Inclusion, University Housing Association, the Graduate College and Athletics. Delegates will not receive

service awards from ASBSU. Complete delegate membership and delegate appointment processes are as specified in ASBSU Executive Council code.

Section 4. Executive Council membership will also include the ASBSU Assembly Speaker.

Section 5. Executive Council Delegates will be nominated by their respective bodies and confirmed by the Executive Council. A complete list of delegates and their respective appointment/nomination processes will be included in ASBSU Executive Council code.

Section 6. The ASBSU President shall be responsible for the internal operations of the ASBSU Executive Council, and shall vote only in the case of ties. All other members of the Council are defined as voting members. In the absence of the President the ASBSU Vice-president shall act as President of the ASBSU Executive Council.

Section 7. Quorum shall be defined as more than one-half (50% +1) of Executive Council members receiving a service award from ASBSU.

Section 8. Executive Council responsibilities

1. The ASBSU Executive Council shall approve by majority vote any Council appointee who receives a service award, unless otherwise stated in this Constitution.
2. The ASBSU Executive Council shall approve the ASBSU budget, all by-laws, regulations, codes, internal and operating rules, and all other legislation as may be necessary for the general welfare of the ASBSU.
3. The ASBSU Executive Council shall have authority over all ASBSU funds through the approval of a budget and the controlling of all ASBSU accounts and the reserve funds of the ASBSU.
4. The ASBSU Executive Council shall establish and determine the functions of all ASBSU committees and boards, with the exception of any executive committee designated by the President of the ASBSU.
5. The ASBSU Executive Council shall set the time, date and place of all Council meetings and may call special sessions of the ASBSU Council with a two-thirds majority vote.
6. A law, as stated in this Constitution, is defined as a rule of conduct, or action prescribed by the ASBSU that has a binding force, or is subject to sanctions.
7. Every bill which has passed the ASBSU Executive Council shall, before it becomes a law, be submitted to the President of the ASBSU. If approved, the ASBSU President shall sign it, but if not, the ASBSU President shall present it with a veto to the ASBSU Executive Council within two (2) calendar weeks of its passage. The ASBSU Council may overrule the veto of the ASBSU President with a two-thirds majority vote, upon which it shall become law. The ASBSU Council shall have no more than two opportunities to override the veto within two (2) calendar weeks of the veto's return. If any bill shall not be returned by the ASBSU President within two (2) calendar weeks after it has been presented to the ASBSU President, the same shall be a law, in like manner as if it had been signed by the ASBSU President; unless the ASBSU Executive Council by their adjournment prevent its return, in which case it shall not be a law.
8. The following shall require a majority vote as defined by quorum: procedural rules of the ASBSU Executive Council, ASBSU Executive Council Opinions, or other regulations passed for the internal function of the ASBSU Executive Council.
9. All records of ASBSU Executive Council proceedings shall be considered public, and shall be kept and publicly posted. The Council shall have public meetings at regular intervals, with the locations publicly announced in advance.
10. Executive Council members shall be subject to removal from office by recall or impeachment. Delegates are subject to removal by their nominating bodies.
11. ASBSU Executive Council members shall serve for up to one year, and be elected by votes cast by the ASBSU enrolled at the time of election. Delegate terms will be decided by their nominating bodies.

ARTICLE III – President, Vice President, Secretaries, and Directors

Section 1. The ASBSU President

1. The ASBSU President shall set the vision and direction of The Associated Students of Boise State University.
2. The ASBSU President shall administer the affairs of the Associated Students and shall be charged with executing all laws and rules adopted by the ASBSU.
3. The ASBSU President shall be the primary diplomat and shall develop and maintain relations with the University administration, the local, state, and federal governments, other student associations and all other entities which shall affect the general welfare of the ASBSU.
4. Only the ASBSU President shall initiate and submit a budget for the ASBSU to the ASBSU Council for approval each year and shall administer the budget once approved by the ASBSU Council.
5. The ASBSU President may enter into agreement with other entities for the general welfare of the ASBSU. All legally binding agreements to which the ASBSU President shall enter into shall be approved by a majority vote of the ASBSU Council, with the exception of any financial agreement within the auspices of the executive authorities outlined herein.
6. The ASBSU President shall make any order necessary for the legal operation of the executive branch, which shall be made available to the ASBSU, and shall direct any person or entity responsible to the executive branch to perform any legal task, within its scope, that is necessary for the general welfare of the ASBSU.
7. The ASBSU President shall establish such executive committees as necessary to serve the general welfare of the ASBSU.
8. The ASBSU President shall have the primary authority and discretion to make all appointments to all university-wide committees that include student participation.
9. The ASBSU President shall have the primary authority and discretion to fill any vacancy in elected or appointed office for the remainder of the term of the said vacated office with the approval of the ASBSU Council by majority vote.
10. During times in which the ASBSU Council is in recess, the ASBSU President may fill any vacancy, by appointment, without the approval of the ASBSU Council until such time when the ASBSU Council has reconvened; said appointment shall then be subject to the approval of the ASBSU Council.
11. The ASBSU President may dismiss, with stated cause, any ASBSU official directly appointed by the president, with the exception of elected officials whose office, in normal occasions, is filled by election.
12. The ASBSU President shall be authorized to approve or veto all ASBSU Council legislation, with the exception of all internal rules and procedures, as established within this Constitution, and shall have the authority to veto, in part or whole, any legislation of a financial nature.
13. The ASBSU President shall call special sessions of the ASBSU Council when necessary to protect and maintain the general welfare of the ASBSU.
14. The ASBSU President shall be a non-voting ex-officio member of all ASBSU committees.
15. The ASBSU President shall preside over the ASBSU Executive Council and staff and may require the opinion, in writing, of any ASBSU cabinet or Executive Council member upon any subject relating to the duties of their respective offices.
16. The ASBSU President shall perform or delegate any such other duties as are necessary to promote and defend the general welfare of the ASBSU.
17. The ASBSU President shall be subject to removal from office by recall or impeachment.

Section 2. The ASBSU Vice President

1. The ASBSU Vice President shall assist the President in all responsibilities, and serve as the primary liaison between the ASBSU Exec Council and ASBSU Student Assembly, be aware of all University Policy and changes, oversee all ASBSU Policy and Bylaws, and share the responsibility of appointing student representatives for all student seats on University committees.
2. In cases where the ASBSU President is not available, the Vice President will speak on behalf of all Boise State students.

Section 3. ASBSU Secretaries

1. An officer position on the Executive Council shall be considered a Secretary position if it is defined in terms of involvement in student affairs outside of the Executive Council, Student Assembly, and Student Funding Board. An ASBSU Secretary position is focused externally on the student body at large. This includes, but is not limited to, speaking on behalf of the student body at large, and gathering student opinion. An ASBSU Secretary represents students directly.
2. The ASBSU Secretary of Academic Affairs shall serve as the primary student representative on all issues deriving from academic affairs. This includes but is not limited to attendance at Faculty Senate, Dean's Council, Department Chair meetings, and regular meetings with the Provost. The Secretary of Academic Affairs will chair a Student Academic Advisory Board as specified in ASBSU Executive Council Code.
3. The ASBSU Secretary of Clubs and Organizations shall serve as the primary representative of student organizations to the ASBSU Council, Student Assembly, and Funding Board, as well as Boise State University administration. They shall facilitate the operation of clubs and student organizations and serve as the chair of a Student Clubs and Organizations discussion group as specified in ASBSU Executive Council Code.
4. The ASBSU Secretary of External Communications shall serve as primary representative of student interests to the local, regional, and state community. This community includes, but is not limited to, alumni, local business and community leaders, and state and national government officials. The Secretary of External Communication's activities shall include, but not be limited to, planning Boise State student-community events, aiding students in advocating student opinions, attending Student Board of Education meetings, Idaho State Legislature meetings, and lobbying for issues concerning ASBSU, such as tuition, etc.
5. If additional ASBSU Secretary positions are needed, the ASBSU President will propose a position description to the ASBSU Student Assembly, who may approve the position on a one-year basis. If the position is to exist for the next term, the position will be listed on the ballot in the next general election. If the position is to exist during the current term, the Assembly must approve the President's nomination. Any nomination by the ASBSU President must occur at a different Student Assembly meeting than the meeting where the Secretary position was proposed.
6. If a Secretary position is to exist on a permanent basis, then it must be added in a constitutional revision.

Section 4. ASBSU Directors

1. An officer position on the Executive Council shall be considered a Director position if it is defined in terms of work for the Executive Council, Student Assembly, or Student Funding Board. An ASBSU Director position is focused internally, on the affairs of elected and appointed ASBSU officials. This includes, but is not limited to, administrative, budgetary, marketing, and election-planning work. An ASBSU Director represents the President, Vice President, and Executive Council directly.
2. The ASBSU Budget Director is responsible for monitoring and optimizing use of the ASBSU General Budget, and for monitoring the efficient use of club funding dollars. The ASBSU Budget Director is the primary liaison to Student Involvement and Leadership Center financial staff. The work of the ASBSU Budget Director includes, but is not limited to, budget planning with the President and Vice President, cooperation with the Student Funding Board, and advocacy on issues concerning student fees.
3. If additional ASBSU Director positions are needed, the ASBSU President will propose a position description to the ASBSU Student Assembly, who may approve the position on a one-year basis. The President will then appoint a student for the new Director position, and that nomination must be approved by the Executive Council. Director positions may be added for the length of a term or on a temporary basis.
4. If a Director position is to exist on a permanent basis, then it must be added in a constitutional revision.

ARTICLE IV – The ASBSU Student Ethics Officer

Section 1. The ASBSU Student Ethics Officer shall be responsible for holding all ASBSU Officers accountable to both the Boise State University Statement of Shared Values and their position descriptions.

Section 2. In cases where a review of the ASBSU constitution or any ASBSU code is requested by any student, faculty, or staff, the ASBSU Student Ethics Officer will call together a five (5) member Constitutional Review Committee, whose membership is the Student Ethics Officer and students from the ASBSU Student Assembly. The Student Ethics Officer will chair the committee, and may call for its meeting at any time.

Section 3. The ASBSU Student Ethics Officer shall serve as complainant in any impeachment hearings, as provided in this constitution and ASBSU Executive Council and Student Assembly code (see Article VII).

Section 4. The ASBSU Student Ethics Officer will be hired by a committee involving both ASBSU staff and student affairs professionals. The ASBSU President and ASBSU Assembly Speaker will request that the Student Involvement and Leadership Center (SILC) Director, and Office of Student Rights and Responsibilities (OSRR) Director serve on the hiring committee or send designees.

Section 5. The ASBSU Student Ethics Officer will report to the ASBSU Student Assembly as specified in Executive Council and Student Assembly code. The Student Ethics Officer shall meet regularly with SILC and OSRR staff.

Section 6. The ASBSU Student Ethics Officer shall be subject to removal from office by SILC or resignation.

ARTICLE V – The ASBSU Student Funding Board

Section 1. The responsibility to fund student clubs and organizations shall be vested in an ASBSU Student Funding Board.

Section 2. The Funding Board will meet publicly and regularly in order to vote on club funding issues.

Section 3. Student Funding Board composition

1. The ASBSU Student Funding Board shall consist of up to seven students who shall be appointed by the ASBSU President in consultation with SILC and approved by ASBSU Executive Council by majority vote. The ASBSU President will ensure that there are at least four (4) Funding Board Officers at any one time.
2. At least four (4) Funding Board Officers will be required as quorum to vote on issues concerning club funding.
3. The ASBSU Student Funding Board Chair, who will be elected by and from the total membership of the Student Funding Board, and must be a student member of the same. The Funding Board Chair shall be elected at the last regular meeting of the Spring semester or at times when a vacancy of the Funding Board Chair occurs.
4. The ASBSU Funding Board may vote to remove the Funding Board Chair at any time. The Funding Board will be responsible for electing a new Funding Board Chair either at the same Funding Board meeting as the removal, or at the beginning of the next Funding Board meeting.

Section 4. Seven student Funding Officers shall be appointed for a term of one year. In occasions when an incumbent student Funding Officer seeks reappointment, the candidate shall be interviewed by the current ASBSU Student Funding Board members. If approved, the reappointment shall automatically occur. No student Funding Officer will serve more than two (2) terms, or four (4) semesters. If reappointment is denied, the ASBSU President shall make an appointment to fill any open vacancy, subject to the approval of the ASBSU Council.

ARTICLE VI – The ASBSU Student Assembly

Section 1. An ASBSU Student Assembly will be formed in order to provide student representation of all academic departments, disseminate information important to students, deliver student opinion, and provide an access point to involvement in Boise State University student life.

Section 2. ASBSU Student Assembly composition

1. The ASBSU Student Assembly will include one (1) student from each department representing an academic major at Boise State University, each student elected by their respective academic department. A list of qualifying departments will be kept and updated in ASBSU Student Assembly Code.
2. All members of the ASBSU Student Assembly, except for the ASBSU Assembly Speaker, will be elected before the end of the third week of the fall semester.
3. The ASBSU Student Assembly will provide membership for committees as described in Student Assembly code.
4. If Student Assembly positions are vacant due to resignation, removal, or lack of participation in election, students will be nominated by the ASBSU President or their respective academic department chairs, and confirmed by their college caucus as specified in ASBSU Student Assembly Code.
5. The ASBSU Student Assembly will have quorum if it has more than one-half (50%+1) of its total membership present.

Section 3. ASBSU Student Assembly leadership

1. The ASBSU Student Assembly will be led by the ASBSU Assembly Speaker. In cases where the Assembly Speaker cannot attend an Assembly meeting, the ASBSU Vice President will act as Speaker for the duration of that meeting.
2. The ASBSU Student Assembly will feature six (6) college Caucus Leaders, one representing each academic college except for the Graduate College. Caucus Leaders will be responsible for facilitating discussion between Assembly Members representing academic departments within their respective colleges, and will serve as members of the Student Academic Advisory Board. Caucus Leaders will also meet with the deans of their respective colleges.

Section 4. The ASBSU Student Assembly does not hold legislative authority, but will protect student interest through the passage of formal resolutions, collaborating with and representing student needs to their academic departments, by confirming impeachment, and approving some constitutional amendments and revisions (see Article IX, Section 2)

Section 5. The ASBSU Student Assembly will meet every other week at the time and day stated in ASBSU Student Assembly code. Special sessions may be called as specified in Student Assembly code.

ARTICLE VII – ASBSU Elections

Section 1. The ASBSU Council shall regulate and specify the manner and conduct of all elections through appropriate legislation, within the constraints of the ASBSU Constitution.

Section 2. Elections for the ASBSU President and Vice President, ASBSU Student Assembly Speaker, and all ASBSU Secretaries shall be held in or before the second (2) week of April for a consecutive period of at least two (2) days and not more than five (5) days, as determined by ASBSU Code. Elections will not be held earlier than the third (3) week of March. If emergencies require a different election period, the ASBSU Executive Council must propose a different time period, and the ASBSU Student Assembly must approve said period.

Section 3. The ASBSU President, Vice President, ASBSU Student Assembly Speaker, and Secretaries shall be installed no later than the last weekday in April. This section may be temporarily suspended by the ASBSU Student Assembly should it be necessary for the general welfare of the ASBSU.

Section 4. Any initiative shall be considered law upon its acceptance by a majority of the ballots cast by membership of the ASBSU in a general or special election. Each initiative shall be placed before the membership of the ASBSU in an election once a petition is filed with the validated signatures and student identification numbers of five (5) percent of the membership of the ASBSU. No initiative shall be considered law if it is in contradiction with the Constitution of the ASBSU.

Section 5. Any law shall be considered null and void if a referendum for the said law is rejected by a majority of the members of the ASBSU in a general or special election. Each referendum shall be placed before the membership of the ASBSU in an election once a petition is filed with the validated signatures and student identification numbers of five (5) percent of the total membership of the ASBSU.

Section 6. The ASBSU Student Assembly membership shall be elected by the respective academic departments no later than the third week of the Fall term. The ASBSU Assembly Speaker and Executive Council shall be responsible for arranging the Student Assembly elections. The Student Assembly elections shall occur for a consecutive period of at least one (1) day and not more than five (5) days, as determined by ASBSU Code.

Section 7. The ASBSU Student Assembly will elect its internal officers no later than its second official meeting.

ARTICLE VIII – Removal from office

Section 1. All ASBSU elected officers shall be subject to removal from office by recall.

Section 2. A petition containing the validated signatures and student identification numbers of five times the total number of signatures required for placement on the ballot shall be necessary for a recall election against the said ASBSU officer.

Section 3. Subsequent to the validation of a petition in proper form, a recall election shall be held against the officer listed in the said petition. For an officer to be recalled from office, two-thirds of the votes cast must be in favor of the recall, provided that the number voting in the recall election is at least equal to the number of constituents who voted for said officer in the election in which said officer achieved office or normally would have achieved office. A recall election shall occur within thirty (30) calendar days of the validation of the petition calling for the recall.

Section 4. No officer shall be recalled, nor a petition be circulated calling for the recall of an officer, who has not held the office from which recall is being sought for more than thirty days. No person shall be recalled from office who has less than thirty (30) calendar days left before the natural expiration of the term.

Section 5. The ASBSU Executive Council shall determine the form and manner of all recall elections within the guidelines of this Constitution.

Section 6. Any ASBSU Council member may propose the dismissal, with stated cause, of any ASBSU official with the exception of elected officials, or officials whose office, in normal occasions, is filled by election. ASBSU official shall be defined as any personnel receiving a paid service award or holding an elected or appointed position.

Section 7. The ASBSU Ethics Officer may propose the impeachment, with stated cause, of any ASBSU elected officials, or officials whose office, in normal occasions, is filled by election. ASBSU official shall be defined as any personnel receiving a paid service award or holding an elected or appointed position.

Section 8. Impeachment hearings will be held before the ASBSU Student Assembly during a regular or special meeting. The Student Assembly will vote in favor or against impeachment. A two-thirds vote will be required for impeachment.

ARTICLE IX – Constitutional Amendment and Revision

Section 1. On the request of one (1) of the three (3) ASBSU bodies defined in this constitution, and the majority approval of the other bodies, a convention shall be called for proposing amendments and/or revisions to this Constitution. A request may only be submitted if approved by majority vote of the body that submitted the request. The ASBSU Assembly Speaker shall appoint three (3) Student Assembly members and the ASBSU President shall appoint two (2) Executive Council members. The Funding Board Chair will appoint (2) Funding Board Officers. Two (2) students-at-large shall be appointed by the ASBSU President with the approval of the ASBSU Council. Additionally, either the President or Vice President must lead the convention (the other may be one (1) of the two (2) Executive Council appointments). When amendments and/or revisions are proposed through a constitutional convention, approval by two-thirds (2/3) of the total number of the delegates at the convention shall be necessary for proposing amendments and/or revisions to this Constitution.

Section 2. If proposed amendments and/or revisions affect no more than three (3) sections of one (1) article of the constitution, then they may be voted on by the Assembly and passed by 80% or more of the total membership of the Assembly. If the proposed amendments and/or revisions do not pass, then they will be submitted to the membership of the ASBSU in a general or special election as specified in Article VIII, Section 3. Amendments to Article VIII cannot be passed by the Assembly, but must always be featured in a general or special election.

Section 3. Proposed amendments and/or revisions shall be submitted to the membership of the ASBSU in a general or special election and shall be approved by a majority of the membership of the ASBSU casting ballots upon which the proposed amendments and/or revisions shall be valid to all intents and purposes as part of this Constitution. A minimum of five hundred (500) students must cast ballots in order for an amendment or revision to be considered approved by election.

Section 4. All amendments to this Constitution shall be added at the end of the text of this Constitution and shall be labeled as Amendment I and continued numbered so forth.

Section 5. All revisions shall be added in the appropriate text.

ARTICLE X – Constitution Ratification and Implementation

Section 1. Upon ratification of this Constitution by a majority of valid ballots cast by the membership of the ASBSU in an election called by the ASBSU Council, this Constitution shall be valid in all intents and purposes.

Section 2. Any and all existing constitutions, by-laws, rules and regulations within the ASBSU that are inconsistent with this Constitution shall hereby be considered null and void.

Section 3. The current officers of the ASBSU shall continue in office under the 2007 Constitution and current code until the first installation of officers under this Constitution. Current ASBSU Officers may add Secretary and Director positions on a one-year (1) basis through Executive nomination and Senate approval.

ARTICLE XI – Reserve Funds Account

Section 1. The ASBSU will maintain a minimum of 10% of the previous year's operating budget in a reserve funds account. The contingency account can only fall below 10% of the previous year's operating budget with a majority vote of the entire ASBSU Council and a signature by the ASBSU President.

ARTICLE XI – Confirmation and Approval

Stephen Heleker, President
Associated Students of Boise State University

Date

Zachary Snoderly, Vice President
Associated Students of Boise State University

Date

Dr. Robert Kustra, President
Boise State University

Date

Confirmation and Approval History:

- In the 2010-2011 academic school year, new structures of student government were explored by student government officials.
- In early February, 2010, a new student government structure was proposed to the existing student government, which was unanimously supported.
- A Constitutional Convention was held from March 5, 2010 through March 15, 2010, attended by Ryan Finney, Shaila Schmidt, Herbert Pollard, Gabriel Iacoboni, Collette Breshears, Sarah Tatistcheff, Zachary Snoderly, and Stephen Heleker. Mark Gehrke directed the convention meetings.
- On February 09, 2011, Constitutional Convention delegates voted in favor of this new Constitution by a vote of 4-1-1, with two delegates absent.
- This new Constitution was ratified by student votes on TBA.